

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ROBERT SALERNO,**

**Petitioner,**

**vs.**

**UNITED STATES PAROLE  
COMMISSION, FCI-GREENVILLE, and  
WARDEN DARLENE A. VELTRI,**

**Respondent.**

**CIVIL NO. 04-797-GPM**

**MEMORANDUM AND ORDER**

**MURPHY, Chief District Judge:**

On June 28, 2006, Magistrate Judge Frazier issued a Report and Recommendation (Doc. 16) in which he recommends dismissal of this petition for writ of habeas corpus because Petitioner failed to exhaust his administrative remedies. Magistrate Judge Frazier has considered the documents filed by Petitioner on November 18, 2005 (*see* Doc. 13), which prompted this Court to dismiss an earlier Report and Recommendation; his recommendation is still that this action be dismissed. The Report and Recommendation was filed on June 28, 2006, and no objections have been filed.

Because there are no timely objections, pursuant to 28 U.S.C. § 636(b), this Court need not conduct a *de novo* review. 28 U.S.C. § 636(b); *see also Thomas v. Arn*, 474 U.S. 140 (1985); *Lorentzen v. Anderson Pest Control*, 64 F.3d 327, 330 (7<sup>th</sup> Cir. 1995); *Video Views, Inc. v. Studio 21, Ltd.*, 797 F.2d 538, 539 (7<sup>th</sup> Cir. 1986). Accordingly, the Report and Recommendation (Doc. 16) is **ADOPTED**, and this action is **DISMISSED without prejudice** for failure to exhaust

administrative remedies.

**IT IS SO ORDERED.**

DATED: 07/24/06

s/ G. Patrick Murphy  
G. PATRICK MURPHY  
Chief United States District Judge